

THE HONOURABLE SRI JUSTICE C.V. RAMULU

W.P. No.8463 of 2006

Date: 05-09-2007

Between:

Boddu Gargeyi, W/o. Late B. Hari babu

Petitioner

And

The Ongole Co-operative Bank Limited

Respondents

ORDER:

This writ petition has been filed seeking *Writ of Mandamus* to declare the action of the respondent in not releasing the death-cum-retirement benefits of the deceased husband of the petitioner and in not providing suitable employment to the petitioner in the respondent's bank on compassionate grounds, as arbitrary and illegal.

It appears that the husband of the petitioner, an employee of the Ongole Co-operative Bank Limited, died in harness. Before his marriage, the husband of the petitioner, for the benefits that may accrue in his service, nominated his mother Chandramma. Immediately after the marriage, the name of the petitioner was not included as one of the nominees. However, it appears that the mother-in-law of the petitioner also died on 28-04-2007 i.e. during the pendency of the writ petition. Further, the respondent did not pay the death-cum-retirement benefits on the ground that the mother-in-law of the petitioner was shown as nominee. The petitioner obtained legal heir certificate and produced the same before the respondent.

In so far as compassionate appointment of the petitioner is concerned, the respondent already terminated 23 employees, who were found to be surplus, from service and there is no scope to

consider the case of the petitioner for appointment on compassionate ground, in view of the death of her husband.

Since the mother-in-law of the petitioner is no more and the petitioner obtained legal heir certificate, the respondent shall consider the case of the petitioner with regard to the death-cum-retirement benefits, as per law, within a period of six weeks from the date of receipt of a copy of this order.

In so far as the compassionate appointment of the petitioner is concerned, the respondent is directed to consider the feasibility of the same, as per law.

In the result the Writ Petition is disposed of accordingly.

There shall be no order as to costs.

JUSTICE C.V. RAMULU

Date: 05-09-2007

LSK